

### **REMARKS**

This Amendment is in response to the Office Action dated October 5, 2004. Claims 1-18 are pending. Claims 1-18 are rejected. Claims 10, 12 and 15 are objected to. Claims 1, 7 and 13 and 15 have been amended to clarify the present invention. Claims 10, 12 and 15 have been amended to correct informalities. Accordingly, claims 1-18 remain pending in the present application.

Applicant includes a Petition for Extension of Time to extend the deadline for filing a response by one (1) month from January 5, 2005, to February 5, 2005. Since February 5, 2005, falls on a Saturday, the amendment is timely filed today, Monday, February 7, 2005.

The Examiner objected to claims 10, 12, and 15 because of informalities regarding the claim preambles. Applicant has amended claims 10, 12, and 15 to correct these informalities, as requested by the Examiner. Applicant respectfully submits that no new matter has been entered and respectfully requests that the objection be withdrawn.

### **Cited Art Rejection**

The Examiner rejected claims 1-18 under 35 U.S.C. 102(b) as being anticipated by Gross, et al ("Gross"). Applicant respectfully disagrees with the rejection.

The present invention provides a method for optimizing the use of a plurality of processors when compiling a program in a computer system. The method and system comprises locating a list of directories of the program and a list of processors of the computer system. The method and system further includes assigning a next directory to a next available processor in an ordered manner to allow the next available processor to compile at least one file within the directory. The method and system also includes compiling by the next available processor the at least one file within the next directory.

Finally, the method and system further includes ensuring there are no more directories to be compiled by repeating the assigning and compiling steps.

See independent claims 1, 7, and 13. Through the use of the method and system in accordance with the present invention, compile cycle time for large programs is significantly reduced. Accordingly, the dependencies are updated simultaneously with the code changes, thereby allowing for the compiling of the large program with minimal dependency violations. Applicant respectfully submits that the cited art of Gross fails to teach, show, or suggest the recited invention.

In rejecting the claims, the Examiner contends that Gross discloses Applicant's recited providing a list of directories and a list of processors by teaching "the number of processes on the function level, called function masters is equal to the total number of functions in the program (i.e. directories containing parts of the code to be compiled) ... The section masters attempt to distribute the function masters to workstations (i.e. processors, from a list of processors)." Applicant fails to see how the use of function masters in Gross teaches or suggests the recited locating a list of directories.

Gross teaches on page 93 under the sub-heading "Function Level" that "the task of a function master is to implement phases 2 and 3 of the compiler, that is to optimize and generate code for one function." There is nothing in this description of a function master to optimize and generate code for one function that teaches or suggests anything regarding a directory. As described by the Applicant in the first paragraph of page 2 of the specification, "to more efficiently compile the complex program from version to version in the development process, the program is broken up into a directory structure where discrete files of the code are placed in specific directories or subdirectories. Within each directory are files related to that particular file of the code." Thus, as is well understood in the art, a directory provides a level in a hierarchy of data related to the

code being compiled, i.e., it contains files and/or subdirectories of discrete files of code. The nature of the recited directory containing at least one file is demonstrated in the recited assigning of a directory to a next processor in an ordered manner to allow the next available processor to compile at least one file within the directory.

In contrast, the so-called 'directories' of the function masters in Gross are in and of themselves singular entities of code for one function. While the Examiner has asserted that function masters in Gross correspond with the recited directories, given the description of Gross that function masters actually optimize and generate code for one function, Applicant respectfully submits that these function masters provide a singular level of data that is not associated with or capable of indicating a hierarchy, as done by Applicant's recited directory within which is at least one file.

In view of the foregoing, Applicant respectfully submits that the function masters in Gross offer no teaching or suggestion of a list of directories, as contended by the Examiner. Without teaching or suggesting the provision of a list of directories in Gross, there is nothing to teach or suggest the invention, as recited in independent claims 1, 7, and 13. Accordingly, Applicant respectfully submits that independent claims 1, 7, and 13 are allowable over the cited art of Gross. Claims 2-6, 8-12, and 14-18 depend on an independent claim and therefore include the features believed allowable while providing further features. Thus, these claims are also respectfully submitted as allowable for at least those reasons associated with the independent claims.

Applicant respectfully requests withdrawal of the rejection of independent claims 1, 7, and 13 under 35 U.S.C. 102(b).

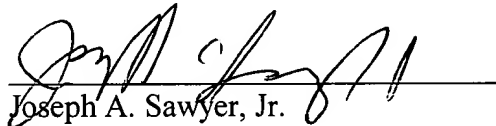
For reasons set forth above, Applicant respectfully submits that the present claims are allowable. Consequently, reconsideration, allowance and passage to issue of the present invention is respectfully requested.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

SAWYER LAW GROUP LLP

February 7, 2005  
Date

  
\_\_\_\_\_  
Joseph A. Sawyer, Jr.  
Attorney for Applicant(s)  
Reg. No. 30,801  
(650) 493-4540